

North Delta Water Agency Board of Directors Meeting

14120 Grand Ave, Walnut Grove, CA 95690
Wednesday, April 3, 2013 at 9:30 a.m.

Minutes

Call to Order

Chair Henry Kuechler called the regularly scheduled meeting to order at 9:32 a.m. on Wednesday, April 3, 2013. A quorum was determined at that time. Those present:

Directors

Neil Hamilton, Division 5
Henry Kuechler, Division 3
Steve Mello, Division 1
Topper van Loben Sels, Division 2

Absent

Ken Ruzich, Division 4

Staff

Gary Kienlen, MBK Engineers
Angela Bezzone, MBK Engineers
Kevin O'Brien, Downey Brand
Margaret Sorensen
Melinda Terry

Others

Mark Wilson, Clarksburg
Mike Hardesty, RD 2068
Bob Webber, RD 999
Vanessa Schmoker, RD 999
Mary Kuechler, RD 2060

Approval of Minutes

Motion and second to approve the minutes of the February 6, 2013 meeting. Motion unanimously approved.

Finances

Motion and second to approve the financial reports as presented. Motion unanimously approved.

The Directors reviewed information regarding long-term investments submitted by Time Value Investments, Inc. The Board will leave reserves in the LAIF fund.

Engineer's Report

Gary Kienlen distributed water quality charts and reported that water quality is currently within the contract's criteria. He also submitted additional 2012 annual charts for three stations.

Legal Report

Kevin O'Brien reported that DWR has not acted on signing either of the two agreements that NDWA has proposed - the agreement reducing NDWA's contract payment by the amount of Fish & Game's assessment; and the MOU to extend the existing water quality MOU between DWR and NDWA to include future water quality changes made by the SWRCB. Kevin suggests a meeting be set with the DWR Director and NDWA Board members to prompt the Department to act. Staff was directed to set up the meeting.

A claim was filed for delinquent assessments for the Department of Parks and Recreation and CalTrans. A letter has been sent to State Lands Commission requesting full payment.

Manager's Report

At the February meeting, a reclassification report was submitted by staff. Melinda explained that there was a correction that needed to be made to that report. Included in the packet, was a revised report correcting the reason for one of the reclassifications.

Report on Delta Activities

Melinda Terry and Mike Hardesty met with Department of Fish and Wildlife (DFW) to hear about the Prospect Island aquatic habitat project being planned to comply with the Biological Opinions for the continued South Delta pumping operations of the SWP and CVP. There are 12 design options, all of which include variations of breaching the levees on all side to let water onto the island for tidal habitat. The notice of intent is scheduled to come out in June.

Mike Hardesty stated the notice of intent for the Yolo Ranch project has already been released, but the project has changed significantly since then including a reduction of the amount of fill to be removed.

The second BDCP Admin Draft chapters are being released and chapters 5-7 will be discussed at a public meeting tomorrow (April 4). There are 22 conservation measures total. The construction period for measures 1-3 will be ten years. Melinda expressed concern that the BDCP Cooperating Agencies in the Delta have not been coordinating with each other on common issues each have with the impacts associated with the draft EIR/EIS. The BDCP intends to release an official plan by the end of this year. The Board discussed its concerns regarding the process, the actual conservation measures and activities, and the lack of oversight for proper implementation of mitigation measures. Staff was directed to write a letter to Secretaries Jewell and Laird requesting the Portfolio Concept, Dr. Pyke's Western Delta Intake, and Congressman Garamendi's white paper be fully equally analyzed as alternative proposals in the BDCP EIR/EIS. Gary Kienlen said MBK has received information on modeling affects and his firm will review and provide a report the Board on the scope and estimated cost for a complete analysis.

Judge Damrell was appointed to the Delta Stewardship Council. The Council made final minor edits to its draft Plan, EIR and Rulemaking package at the March DSC meeting and will approve the documents at their May meeting.

Melinda has requested more public involvement and coordination of the numerous habitat projects being planned in the North Delta by various agencies and different planning efforts.

Director Topper van Loben Sels is the current NDWA representative on the Delta Protection Commission and his term expires at the end of this year. The Board will need to begin recruiting a new representative. Staff will review the qualifications for candidates and report back to the Board. Topper shared that DWR is providing a \$5 million non-matching grant for emergency measures. Ron Baldwin is coordinating the applications.

Kevin O'Brien reported that the SWRCB hearings on the Bay-Delta update that have been held so far have not included any NDWA issues of concern.

Public Comment

Mike Hardesty reported that he had been contacted by John Mills who would like to have an ad hoc Delta group discuss BDCP and Delta Plan impacts. Mike and Melinda will both participate.

Mark Wilson asked if NDWA needed to have additional meetings with the San Joaquin Water Exchange Contractors group. The Board did not see any reason to schedule additional meetings and encouraged the group to meet with individual Delta residents and organizations.

Closed Session

The Board met in closed session to discuss potential litigation. There was no reportable action in the closed session.

Adjournment

The meeting was adjourned at 11:36 a.m. on Wednesday, April 3, 2013.

Respectfully Submitted,
Margaret Sorensen, Administrative Assistant